



Service of Process Transmittal

09/14/2021

CT Log Number 540244602

TO: Kim Lundy- Email
Walmart Inc.
702 SW 8TH ST
BENTONVILLE, AR 72716-6209

RE: Process Served in South Carolina

FOR: Wal-Mart Stores East, LP (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Re: Helton William R. // To: Wal-Mart Stores East, LP

DOCUMENT(S) SERVED: Summons, Complaint, Certificate(s)

COURT/AGENCY: Greenville County - Court of Common Pleas, SC
Case # 2021CP2303513

NATURE OF ACTION: Personal Injury - Slip/Trip and Fall - 10/24/2018, Walmart Store #2265 located at 3950 Grandview Road, Simpsonville, SC

ON WHOM PROCESS WAS SERVED: CT Corporation System, Columbia, SC

DATE AND HOUR OF SERVICE: By Certified Mail on 09/14/2021 postmarked: "Not Post Marked"

JURISDICTION SERVED : South Carolina

APPEARANCE OR ANSWER DUE: Within 30 days after service hereof, exclusive of the day of such service

ATTORNEY(S) / SENDER(S): William A. Jordan, III
Jordan Law Center, LLC
622 Wade Hampton Boulevard
Greenville, SC 29609
864-325-0147

ACTION ITEMS: CT has retained the current log, Retain Date: 09/15/2021, Expected Purge Date: 09/20/2021

Image SOP

REGISTERED AGENT ADDRESS: C T Corporation System
2 Office Park Court
Suite 103
Columbia, SC 29223
877-564-7529
MajorAccountTeam2@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.



CERTIFIED MAIL



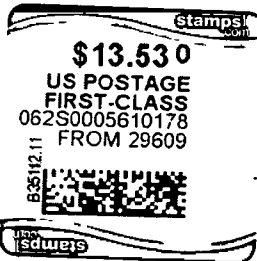
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nville, SC 29609

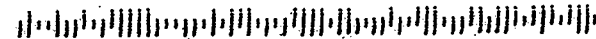
Walmart Stores East, L.P. and Walmart Supercenter
d/b/a Walmart Store # 2245, Walmart, Inc. and
Chad Barnett

c/o CT Corporation System
2 Office Park Court, Suite 103
Columbia, SC 29223

**RETURN RECEIPT
REQUESTED**



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Jordan Law Center

Attorney William A. Jordan, III

Walmart Stores East, L.P., and Walmart Supercenter
d/b/a Walmart Store # 2265, Walmart Inc., and
Chad Barrett (employee)
c/o C T Corporation Systems as Registered Agent
2 Office Park Court, Suite 103
Columbia, South Carolina 29223

Aug. 8, 2021

Re: William R. Helton vs. Walmart Stores East, L.P., Walmart Supercenter
d/b/a/ Walmart Store # 2265, Walmart, Inc., and Chad Barrett;
Case No.: 2021-CP-23-03513

Dear Registered Agent:

Please find enclosed for service upon you as the Registered Agent for the above-named entity, a copy of the Plaintiff's clocked *Summons & Complaint* in the above-named matter.

Regards,

Greenville, South Carolina

JORDAN LAW CENTER

Melissa S. Gilstrap, Paralegal
William A. Jordan, III
Attorney at Law

MSG/msg
Enclosures

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

William R. Helton,

Plaintiff,

v.

Walmart Stores East, L.P., Walmart
Supercenter d/b/a Walmart Store # 2265,
Walmart, Inc., and Chad Barrett,

Defendants.

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

CASE NO.: 2021-CP-23- 03513

SUMMONS

Jury Trial Demanded

TO THE DEFENDANTS ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your Answer to said Complaint upon the subscribers at their office, 622 Wade Hampton Blvd., Greenville, South Carolina 29609, within thirty (30) days, after service hereof, exclusive of the day of such service, and if you fail to answer the Complaint within the time aforesaid, the Plaintiffs in this action will apply to the Court for judgment by default for relief demanded in said Complaint.

Respectfully submitted,

Greenville, South Carolina
July 26, 2021

s/: William A. Jordan, III
William A. Jordan, III, S.C. Bar #: 101271
william@jordanlawcenter.com
Jordan Law Center, LLC
622 Wade Hampton Boulevard
Greenville, South Carolina 29609
Phone: (864) 235-0147
Fax: (864) 467-9349
Attorney for Plaintiff

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

William R. Helton,

Plaintiff,

v.

Walmart Stores East, L.P., and Walmart
Supercenter d/b/a Walmart Store # 2265,
Walmart, Inc., and Chad Barrett,

Defendants.

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

CASE NO.: 2021-CP-23- 03513

COMPLAINT

Jury Trial Demanded

TO THE DEFENDANTS NAMED ABOVE:

William R. Helton (hereinafter "Plaintiff"), brings this action against Walmart Stores East, L.P., Walmart Supercenter d/b/a Walmart Store # 2265, Walmart, Inc., and Chad Barrett, (hereinafter "Defendants"), and would respectfully allege and show this Court the following:

JURISDICTION AND VENUE

1. The Plaintiff is a citizen and resident of the County of Laurens, State of South Carolina.
2. The Defendant Walmart Stores East, L.P. is a corporation duly organized and existing pursuant to the laws of the state of Delaware and was at all times material to this Complaint engaged in the operation of business in Greenville County, South Carolina.
3. The Defendant Walmart Supercenter d/b/a Walmart Store # 2265 is a corporation duly organized and existing pursuant to the laws of the state of Delaware and was at all times material to this Complaint engaged in the operation of business in Greenville County, South Carolina.

4. The Defendant Walmart, Inc. is a corporation duly organized and existing pursuant to the laws of the state of Delaware and was at all times material to this Complaint engaged in the operation of business in Greenville County, South Carolina.

5. Upon information and belief, the Defendant Chad Barrett is a citizen and resident of the County of Greenville, State of South Carolina, and was at all times material to this Complaint an employee and/or agent of the Walmart Defendants.

6. At all times relevant hereto, the Defendants Walmart Stores East, L.P., Walmart Supercenter d/b/a Walmart Store # 2265, and Walmart, Inc. (hereinafter the "Walmart Defendants") were engaged in the ownership and/or operation of a retail establishment located at 3950 Grandview Road, Simpsonville, County of Greenville, South Carolina (hereinafter "the Premises").

7. The Walmart Defendants were the owners, operators, managers, agents, or other responsible parties of the retail establishment, with full responsibility for maintaining the premises and ensuring the safety of the patrons, employees and customers.

8. The Walmart Defendants, as owners and operators of the store, or through its agents or employees, negligently failed to maintain the floor of the store in a reasonably safe condition.

9. The Walmart Defendants, as owners and operators of the store, or through their agents or employees, allowed pallets to be placed in the aisle, in the direct path of customers, creating an unreasonable risk and trip hazard to customers in the store.

10. This Court has personal jurisdiction and venue over the parties and subject matter named in this lawsuit pursuant to the South Carolina Rules of Civil Procedure, the South Carolina Constitution and the South Carolina Code.

FACTUAL BACKGROUND & NEGLIGENCE CAUSE OF ACTION

11. On or about October 24, 2018, Plaintiff was a customer at the Premises in the craft and fabric section of the store.

12. Immediately prior to the Plaintiff entering the store, Defendant Barrett had been engaged in restocking procedures on behalf of the Walmart Defendants, and was in the process of placing loaded pallets onto the store floor and then unloading them as part of the restocking process.

13. Plaintiff approached Defendant Barrett and asked for assistance with fabrics. Defendant Barrett informed Plaintiff that he was unable to assist the Plaintiff, but that if the Plaintiff was willing to wait, Defendant Barrett might be able to find a manager to assist the Plaintiff.

14. Rather than waiting for some unspecified period of time, Plaintiff chose to walk away and continue his shopping elsewhere in the store.

15. While Plaintiff was walking away from Defendant Barrett, Barrett continued to speak to the Plaintiff, distracting him.

16. As a result of Defendants' conduct, the Plaintiff tripped and fell over a wooden pallet that was left in the aisle.

17. The Plaintiff was a consumer who stopped at the Premises to shop, and thus an invitee on the Defendant's premises. All Defendants owed the Plaintiff the duty to discover and warn of dangerous conditions on the premises and thereafter make them safe, which the Defendants failed to do.

18. The Defendants knew or should have known that a dangerous condition existed.

19. The Defendants created the dangerous condition in the form of the pallet left in the aisle.

20. As a proximate result of the Defendant's acts and omissions as alleged in this Complaint, Plaintiff tripped over the pallet and fell to the ground, suffering severe personal injuries and other damages.

21. The Defendant was negligent, reckless, willful, wanton and grossly negligent in the following and other particulars to wit:

- A. In failing to warn Plaintiff that an obstruction was located in the store aisle;
- B. In failing to ensure that any hazards located on the property were clearly marked;
- C. In failing to remove an obstruction from an area in which the Defendants knew that persons would be walking;
- D. In failing to keep the store aisles clear and safe for customers and/or invitees;
- E. In failing to provide safe conditions for customers and/or invitees;
- F. In failing to adequately discover and correct any dangerous conditions which existed, despite frequent opportunities to do so;
- G. In failing to search for and discover the unreasonably dangerous condition existing on their premises, or premises for which they were responsible, to wit: the placement of a pallet in an aisle where they knew that persons would be walking;
- H. In failing to adequately warn customers and/or invitees that a dangerous condition existed;
- I. In creating a dangerous hazard in the store;
- J. In failing to comply with corporate policies on restocking;

- K. In failing to properly train or supervise their employees or contractors so as to prevent dangerous conditions from existing; and,
- L. In such other and further particulars as the evidence at trial might show.

All of which combined and/or concurred to be the proximate cause of the Plaintiff's damages, injuries and losses as outlined herein.

22. Plaintiff has suffered and will suffer in the future severe pain. Plaintiff's damages include, but are not limited to, both past and future:

- a. Doctor, hospital, medical, medication, anesthesia, nursing and related medical bills; and,
- b. Pain, suffering, loss of enjoyment of life, and mental anguish,
- c. Permanent disfigurement and/or loss of use of certain body parts; and
- d. Punitive damages.

23. Plaintiff is informed, believes and alleges that he is entitled to both actual and punitive damages against Defendants.

WHEREFORE, having fully pled, the Plaintiff prays as follows: For an award against the Defendants for actual and punitive damages in amounts to be determined by a jury; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

Greenville, South Carolina.
July 26, 2021

William A. Jordan, III
William A. Jordan, III, S.C. Bar #: 101271
william@jordanlawcenter.com
Jordan Law Center, LLC
622 Wade Hampton Boulevard
Greenville, South Carolina 29609
Phone: (864) 235-0147
Fax: (864) 467-9349

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

William R. Helton,

Plaintiff,

v.

Walmart Stores East, L.P., Walmart
Supercenter d/b/a Walmart Store # 2265,
Walmart, Inc., and Chad Barrett,

Defendants.

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

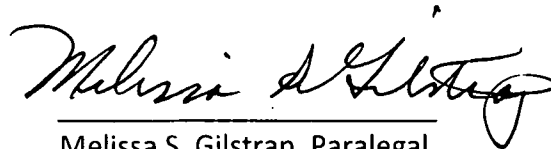
CASE NO.: 2021-CP-23- 03513

CERTIFICATE OF SERVICE

I, Melissa S. Gilstrap, hereby certify that on August 8, 2021, I served a copy of the *Summons & Complaint* in the above-named matter upon the Registered Agent of the Defendant by placing a copy in the United States Mail (Certified Mail, Restricted Delivery, Return Receipt), with correct postage affixed and addressed to the following:

Walmart Stores East, L.P., and Walmart Supercenter
d/b/a Walmart Store # 2265, Walmart Inc.,
and Chad Barrett
c/o C T Corporation Systems as Registered Agent
2 Office Park Court, Suite 103
Columbia, South Carolina 29223

Greenville, South Carolina



Melissa S. Gilstrap, Paralegal
Jordan Law Center
622 Wade Hampton Blvd.
Greenville, SC 29609
(864) 235-0147